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U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY, DOCKET NO. 10/583,430 Noam Danenberg 0-06-133

INTERNATIONAL APPLICATION NO.

PCT/IL04/01138

Kevin D McCarthy ROACH BROWN McCARTHY & GRUBER 420 Main Street 1620 Liberty Building Buffalo, NY 14202

I.A. FILING DATE PRIORITY DATE 12/22/2003

12/16/2004

**CONFIRMATION NO. 6657 371 FORMALITIES LETTER** \*OC000000023362969\*

Date Mailed: 04/16/2007

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/19/2006
- Copy of the International Search Report filed on 06/19/2006
- Copy of IPE Report filed on 06/19/2006
- Preliminary Amendments filed on 06/19/2006
- Information Disclosure Statements filed on 06/19/2006
- Oath or Declaration filed on 06/19/2006
- Request for Immediate Examination filed on 06/19/2006
- U.S. Basic National Fees filed on 06/19/2006
- Assignment filed on 06/19/2006
- Priority Documents filed on 06/19/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

• \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/583,430	PCT/IL04/01138	0-06-133

FORM PCT/DO/EO/905 (371 Formalities Notice)

Certificate of Mailing or Transmission

I, the undersigned, hereby certify that this correspondence along with other possible documents has been deposited with the U.S. Postal Service by first class mail, postage pre-paid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1430 or facsimile transmitted to the U.S. Patent and Trademark Office on June 23, 2001.



Trac

Typed Name Kevin D. McCarthy late: June 22, 2007 IAP12 Rec'd PCT/PTO 25 JUN 2007

Patent 0-06-133 (16985/US/03)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:

Danenberg

Serial no.:

10/583,430

Filed:

December 16, 2004

Title:

FOOT MEASURING DEVICE

Examiner:

N/A

Art Unit:

N/A

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

### SUBMISSION OF DECLARATION

On April 16, 2007, the USPTO mailed a "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office" document.

In response to receipt of that document, the applicant submits an executed declaration, a copy of the "Notification" document, a petition for a one month extension of time, a form 2038 for \$125 (\$65 small entity declaration surcharge and \$60 for one-month small entity petition fee), and a postcard.

It is believed these documents are timely filed.

than Mr

fully submitted

Kevin D. McCarthy

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06/27/2007 GFREY1

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